

# SEALED

IN THE  
UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION  
JULY 2016 SESSION

CLERK'S OFFICE U.S. DIST. COURT  
AT CHARLOTTESVILLE, VA  
FILED

JUL 27 2016

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

UNITED STATES OF AMERICA	)	<b>INDICTMENT</b>
v.	)	Criminal No. <u>7:16-cr-00039</u>
WILLIAM R. RHODES,	)	18 U.S.C. §§ 2252(a)(2) & (b)(1)
a/k/a "Billy Rhodes"	)	18 U.S.C. §§ 1466A
a/k/a "BillRho"	)	
a/k/a "hel_yeah1"	)	

**COUNT ONE**

The Grand Jury charges:

That on or about March 23, 2014, in the Western Judicial District of Virginia and elsewhere, the defendant, WILLIAM R. RHODES, a/k/a "Billy Rhodes," a/k/a "BillRho," a/k/a "hel\_yeah1," did knowingly distribute and receive, using any means and facility of interstate and foreign commerce, one or more visual depictions, namely digital video and image files, and the production of such visual depiction(s) involved the use of a minor engaging in sexually explicit conduct and the visual depiction(s) were of such conduct.

In violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

USAO No. 2015R00050

**COUNT TWO**

The Grand Jury charges:

That on or about August 25, 2014, in the Western Judicial District of Virginia and elsewhere, the defendant, WILLIAM R. RHODES, a/k/a "Billy Rhodes," a/k/a "BillRho," a/k/a "hel\_yeah1," did knowingly distribute and receive, and did attempt to distribute and receive, using any means and facility of interstate and foreign commerce, one or more visual depictions, namely digital video and image files, and the production of such visual depiction(s) involved the use of a minor engaging in sexually explicit conduct and the visual depiction(s) were of such conduct.

In violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

**COUNT THREE**

The Grand Jury charges:

That on or about September 10, 2014, in the Western Judicial District of Virginia and elsewhere, the defendant, WILLIAM R. RHODES, a/k/a "Billy Rhodes," a/k/a "BillRho," a/k/a "hel\_yeah1," did knowingly distribute and receive, using any means and facility of interstate and foreign commerce, one or more visual depictions, namely digital video and image files, and the production of such visual depiction(s) involved the use of a minor engaging in sexually explicit conduct and the visual depiction(s) were of such conduct.

In violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

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## **COUNT FOUR**

The Grand Jury charges:

That between in or about January 2015 and in or about February 2015, the exact date(s) being unknown to the Grand Jury, in the Western Judicial District of Virginia, the defendant, WILLIAM R. RHODES, a/k/a "Billy Rhodes," a/k/a "BillRho," a/k/a "hel\_yeah1," did knowingly receive and attempt to receive one or more visual depiction(s) of any kind that depicts a minor engaging in sexually explicit conduct and is obscene, namely: obscene anime cartoons, that were shipped and transported in interstate and foreign commerce by any means, including by computer, and were produced using materials that had been mailed, and that had been shipped and transported in interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Sections 1466A(a)(1).

## **NOTICE OF FORFEITURE**

1. Upon conviction of one or more of the felony offenses alleged in this Indictment, the defendant shall forfeit to the United States:
  - a. any visual depiction described in 18 U.S.C. §§ 2251, 2251A, or 2252, 2252A, 2252B or 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of law, pursuant to 18 U.S.C. § 2253(a)(1).
  - b. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from said violation of law, pursuant to 18 U.S.C. § 2253(a)(2).

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- c. any property, real or personal; used or intended to be used to commit or to promote the commission of said violation of law, or any property traceable to such property, pursuant to 18 U.S.C. § 2253(a)(3).
- d. Any obscene material described in 18 U.S.C. § 1466A and any property, real or personal, used or intended to be used to commit or to promote the commission of a violation of 18 U.S.C. § 1466A, pursuant to 18 U.S.C. § 1467.

2. The property to be forfeited to the United States includes but is not limited to the following property:

- a. All such material containing the above-described visual depictions.
- b. One (1) Apple MacBook Pro laptop, serial number W895040566D.
- c. One (1) Seagate Expansion External Drive, serial number 2GHL3HEN.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described forfeitable property, pursuant to 21 U.S.C. § 853(p).

A TRUE BILL, this 27<sup>th</sup> day of July, 2016.

/s/ FOREPERSON  
FOREPERSON

John P. Fishwick (msr)  
JOHN P. FISHWICK, JR.  
UNITED STATES ATTORNEY  
USAO No. 2015R00050